

**OCTOBER 2, 2006  
PARMA CITY COUNCIL REGULAR MEETING  
PARMA CITY HALL COUNCIL CHAMBERS  
7:00 PM**

The Regular Council Meeting was called to order by President of Council Charles M. Germana, presiding.

COUNCIL MEMBERS PRESENT:     MARY GALINAS  
   ROY J. JECH  
   LARRY NAPOLI  
   KENNETH A. RAMSER  
   TOM REGAS  
   SCOTT TUMA  
   SEAN BRENNAN  
   NICHOLAS CELEBREZZE

COUNCIL MEMBER ABSENT:     BRIAN DAY

Mr. Mastroianni - Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present.

The following officials and department heads were also present: Mayor Dean DePiero, Law Director Timothy Dobeck, Chief Assistant Law Director Deanna O'Donnell, Treasurer Anthony Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Public Housing Director Lev Kulchytsky, Recreation Director Mickey Vittardi, Purchasing and Personnel Director Elayne Siegfried, Mayor's Administrative Assistant Meghann McCall, Economic Development Officer/Grant Writer Shelley Cullins, and Clerk of Council Tom Mastroianni.

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**INVOCATION**

The Invocation was given by Clerk of Council Tom Mastroianni.

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**PLEDGE ALLEGIANCE TO THE AMERICAN FLAG**

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**VOICE VOTE:**

**RESOLUTION NO. 353-06**                      10/2/06                      L-354-06

BY: S. Brennan, S. Tuma and the rest of Council

A RESOLUTION HONORING ROSEMARY C. GULICK NORTHEAST REGION  
BOARD MEMBER OF THE YEAR OHIO SCHOOL BOARDS ASSOCIATION

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Resolution 353-06. Motion carried. Resolution was presented by Council. Awards were presented by Law Department and Treasurer's Office. Mayor presented Proclamation. Rosemary Gulick thanked everyone for the wonderful gestures.

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## **DISPOSAL OF THE JOURNAL**

Mr. Germana – We have the Minutes of the Regular Meetings of September 5, 2006, and September 18, 2006 and the Special Meeting of September 25, 2006. Are there any additions or changes? Hearing none, the Minutes will stand approved as printed.

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## **COMMUNICATIONS**

Councilman Celebrezze stated and it was seconded by Councilwoman Galinas: “The Planning Committee of Council met on September 25, 2006 to discuss the proposal to vary for Mickey Bloch, 2250 Snow Road, 44134. Permanent Parcel Number 444-27-034. The variance was for an area variance of PCO 1170.08(a) – Commercial/Office Districts – Schedule of Yard & Height Regulations – Front Yard. It is for an addition to a car wash facility. The variance would result in 12.5’ less front setback from right of way than Code requires. I am making a motion to grant this variance which was granted by the Parma Board of Zoning Appeals and the Planning Committee.” Motion carried.

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Councilman Celebrezze stated and it was seconded by Councilman Brennan: “Mr. Chairman, the Planning Commission met on September 27, 2006, to discuss the Similar Use for Borman Enterprises, Inc. of 1311 Brookpark Road. The Planning Commission voted to approve the Similar Use. I make a motion to confirm the approval of the Planning Commission for the Similar Use for Borman Enterprises.” Motion carried.

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Communication received from the Board of Liquor Control to the Notice to Legislative Authority for a new C1 and C2 for Rite Aid of Ohio, Inc dba Rite Aid 7879, 5455 Ridge Road, Parma, Ohio 44129-2369. Mailed 9/29/2006. Responses must be postmarked no later than 10/30/2006.

Mr. Germana – Said Liquor Permit shall be referred to the Safety Director and Ward Council.

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Communication received from the Board of Liquor Control to the Notice to Legislative Authority for a new C1 and C2 for Jai Gaytri Maa, Inc. dba Lucy’s Dairy Mart, 5822 Stumph Road, Parma, Ohio 44130. Mailed 9/21/2006. Responses must be postmarked no later than 10/23/2006.

Mr. Germana – Said Liquor Permit shall be referred to the Safety Director and Ward Council.

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Received from the Cuyahoga County Board of Health: their Semi-Annual Statistical Report covering January 1, 2006, through June 30, 2006. A copy will be on file in the Council Office.

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The first and second Quarterly Airport Sound and Flight Reports have been received from the Cleveland Airport System. They will be on file in the Council Office.

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## **LEGISLATIVE COMMENT**

Council President Charles Germana asked if there were any questions or comments regarding the pieces of legislation Council would be taking final action on tonight. No one wished to comment.

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**FIRST READING:**

**ORDINANCE NO. 352-06**

10/2/06

L-353-06

BY: S.M. TUMA

(By Request – Human Resource Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR HEALTH CARE INSURANCE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

Mr. Germana – Stated that Ordinance No. 352-06 will be referred to the Finance Committee.

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**SECOND READING**

**ORDINANCE NO. 315-06**

9/18/06

L-318-06

BY: N. CELEBREZZE, T. REGAS, R.J. JECH, M. GALINAS, B.DAY,  
L. NAPOLI, S.M. TUMA, S.P. BRENNAN, K.A. RAMSER

AN ORDINANCE TO AMEND SUBSECTION (a) OF SECTION 618.13 “ANIMALS IN PUBLIC PLACES” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA

Mr. Germana – Stated that Ordinance No. 315-06 will be held on Second Reading.

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**ORDINANCE NO. 316-06**

9/18/06

L-320-06

BY: L. NAPOLI

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY SEWER IMPROVEMENTS FOR THE GREEN VALLEY ROAD, DAVID AVENUE, ORCHARDVIEW DRIVE, HOWARD STREET AND ROBERT DRIVE SANITARY SEWER PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Stated that Ordinance No. 316-06 will be held on Second Reading.

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**ORDINANCE NO. 343-06**

9/18/06

L-285-06(a)

BY: T. REGAS, S.P. BRENNAN

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LICENSE AGREEMENT WITH THE SPECIFIED ROUSSEAU DRIVE PROPERTY OWNER(S) FOR THE USE OF THE CITY LAND KNOWN AS PERMANENT PARCEL NUMBER 454-04-008, LOCATED AT 6417 ROUSSEAU DRIVE IN THE CITY OF PARMA

Motion made by Councilman Tuma, seconded by Councilwoman Galinas to accept Substitute Ordinance No. 343-06 which amends the language of the previous

Ordinance No. 343-06 as stated in the substitute legislation and to hold Substitute Ordinance No. 343-06 on Second Reading. Motion carried.

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**ORDINANCE NO. 344-06** 9/18/06 L-285-06(b)  
BY: T. REGAS, S.P. BRENNAN

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LICENSE AGREEMENT WITH THE SPECIFIED ROUSSEAU DRIVE PROPERTY OWNER(S) FOR THE USE OF THE CITY LAND KNOWN AS PERMANENT PARCEL NUMBER 454-02-060, LOCATED AT 6505 ROUSSEAU DRIVE IN THE CITY OF PARMA

Motion made by Councilman Tuma, seconded by Councilwoman Galinas to accept Substitute Ordinance No. 344-06 which amends the language of the previous Ordinance No. 344-06 as stated in the substitute legislation and to hold Substitute Ordinance No. 344-06 on Second Reading. Motion carried.

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**ORDINANCE NO. 345-06** 9/18/06 L-285-06(c)  
BY: T. REGAS, S.P. BRENNAN

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LICENSE AGREEMENT WITH THE SPECIFIED ROUSSEAU DRIVE PROPERTY OWNER(S) FOR THE USE OF THE CITY LAND KNOWN AS PERMANENT PARCEL NUMBER 454-02-062, LOCATED AT 6517 ROUSSEAU DRIVE IN THE CITY OF PARMA

Motion made by Councilman Tuma, seconded by Councilwoman Galinas to accept Substitute Ordinance No. 345-06 which amends the language of the previous Ordinance No. 345-06 as stated in the substitute legislation and to hold Substitute Ordinance No. 345-06 on Second Reading. Motion carried.

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**ORDINANCE NO. 348-06** 9/18/06 L-285-06(d)  
BY: T. REGAS, S.P. BRENNAN

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LICENSE AGREEMENT WITH THE SPECIFIED ROUSSEAU DRIVE PROPERTY OWNER(S) FOR THE USE OF THE CITY LAND KNOWN AS PERMANENT PARCEL NUMBER 454-02-061, LOCATED AT 6511 ROUSSEAU DRIVE IN THE CITY OF PARMA

Motion made by Councilman Tuma, seconded by Councilwoman Galinas to accept Substitute Ordinance No. 348-06 which amends the language of the previous Ordinance No. 348-06 as stated in the substitute legislation and to hold Substitute Ordinance No. 348-06 on Second Reading. Motion carried.

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**THIRD READING:**

**ORDINANCE NO. 313-06**

9/5/06

L-316-06

BY: L. NAPOLI, M. GALINAS, R.J. JECH, K.A. RAMSER, T. REGAS,  
S. TUMA, S.P. BRENNAN, N. CELEBREZZE

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURSUE A REQUEST FOR PROPOSALS (RFP) PROCESS THAT IS NECESSARY FOR THE EXPLORATION AND REALIZATION OF NATURAL RESOURCES BY NATURAL GAS DRILLING ON CITY PROPERTIES THROUGH A LICENSE AGREEMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Ordinance No. 313-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Ordinance No. 313-06 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 354-06, Resolution No. 355-06, Ordinance No. 357-06, Resolution No. 358-06, Resolution No. 359-06, and Ordinance No. 360-06 on three different days be dispensed with?

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze

No: None; Motion carried.

Mr. Germana - Shall Rule 44 requiring reference to committee be dispensed with and Resolution No. 354-06, Resolution No. 355-06, Ordinance No. 357-06, Resolution No. 358-06, Resolution No. 359-06, and Ordinance No. 360-06 be placed on final passage?

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No: None; motion carried.

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**RESOLUTION NO. 354-06**

10/2/06

L-355-06

BY: S.M. TUMA

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Resolution No. 354-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Resolution No. 354-06 is adopted.

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**RESOLUTION NO. 355-06**

10/2/06

L-356-06

BY: T. REGAS, M. GALINAS, R.J. JECH, L. NAPOLI, K. RAMSER, S. TUMA,  
S.P. BRENNAN, N. CELEBREZZE

A RESOLUTION AUTHORIZING THE AUDITOR TO ACCEPT THE DONATION OF CURRENT SICK LEAVE ACCUMULATION INTO THE SICK LEAVE ACCOUNT OF LABORER LEE JANOTTA IN ORDER TO CONTINUE HIS PAYROLL WHILE HE IS OFF WORK DUE TO A FAMILY ILLNESS, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Resolution No. 355-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Resolution No. 355-06 is adopted.

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**ORDINANCE NO. 357-06**

10/2/06

L-358-06

BY: S.M. TUMA

(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2006 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Ordinance No. 357-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Ordinance No. 357-06 is adopted.

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**RESOLUTION NO. 358-06**

10/2/06

L-348-06

BY: M. GALINAS, S. BRENNAN, N. CELEBREZZE,

R.J. JECH, L. NAPOLI, K.A. RAMSER, T. REGAS, S.M. TUMA

A RESOLUTION IN SUPPORT OF HOUSE BILL NO. 644 TO ENACT SECTION 5.2236 OF THE OHIO REVISED CODE TO DESIGNATE NOVEMBER AS “EPILEPSY AWARENESS MONTH”, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Resolution No. 358-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Resolution No. 358-06 is adopted.

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**RESOLUTION NO. 359-06**

10/2/06

L-349-06

BY: R.J. JECH M. GALINAS, L. NAPOLI, K. RAMSER, T. REGAS, S. TUMA,  
S.P. BRENNAN, N. CELEBREZZE

A RESOLUTION IN SUPPORT OF HOUSE BILL NO. 645 TO AMEND SECTION 4503.18 OF THE OHIO REVISED CODE TO ALLOW UNITED STATES VETERANS SERVICE ORGANIZATIONS TO REGISTER VEHICLES USED SOLELY FOR PARTICIPATION IN ORGANIZATIONAL ACTIVITIES, EXHIBITIONS, AND PARADES WITHOUT THE PAYMENT OF ANY REGISTRATION FEE OR SERVICE FEE, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Resolution No. 358-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Resolution No. 358-06 is adopted.

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**ORDINANCE NO. 360-06**

10/2/06

L-359-06

BY: M. GALINAS, R.J. JECH, L. NAPOLI, K. RAMSER, T. REGAS, S. TUMA,  
S.P. BRENNAN, N. CELEBREZZE  
(By Request – Safety Director)

AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION REPRESENTING THE DISPATCHERS, FROM THE PERIOD OF APRIL 1, 2005, THROUGH MARCH 31, 2008, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adopt Ordinance No. 360-06.

Yes: Galinas, Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze.

No : None; Ordinance No. 360-06 is adopted.

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**APPOINTMENTS AND CONFIRMATIONS**

Motion made by Councilman Ramser, seconded by Councilman Brennan, as follows: "Mr. Chairman, the Appointment Scanning Committee met on September 25, 2006, to discuss the reappointment of Jerome Stano to the Board of Zoning Appeals. I move to accept the re-appointment of Jerome Stano to the Board of Zoning Appeals to a term ending 9/21/2001." Motion carried.

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**PUBLIC SESSION**

Melinda Carver, 7290 Nobb Hill – Rental property issues in their neighborhood. There are problems with pushed in screens, dirty diapers, trash, and now vermin coming into the area. Now there are problems with raccoons, mice, rats, and now roaches. There is one rental property that has roaches in the home and it has spread to the homes beside it on Reichert. This is totally unacceptable. Complaints have resulted in nothing much being done. They have been cited and should be cleaning them up. There are problems with the roaches which are going around the neighborhood. They want to know what Parma can do for us. They did not buy houses to end up living like this, where you have to worry about roaches coming in and ruining your investment. With the County Auditor raising our property taxes for next year, why should they pay higher taxes for having this vermin in their neighborhood? Both of the properties were foreclosure homes being handled by brokers. There are garage doors which are punched in, renters, and brokers who don't care. They need help and do not want the neighborhood to go down the drain. This is a health issue. There are a lot of children and families in these homes which will be instrumental in spreading the roaches.

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**MISCELLANEOUS BUSINESS**

Mayor DePiero – He stated that Mr. Graves has cited the owners and it is a lengthy process. Tomorrow they are going to check on the status of everything and if need, the City will step in to cut grass and eliminate the trash. He wanted to thank the volunteer Baldwin-Wallace students for painting hallway in the Senior Center. Thanked Sherwin-Williams on Broadview for their paint donations. Thanked Council for their passage of Ordinance No. 360-06 (Dispatcher's Contract). He said that they are getting closer and closer to getting their labor contracts resolved in an efficient and fair manner. He thinks that the additional training the dispatchers have will save lives in our city. He stated that the quarterly Ministerial breakfast is Wednesday morning. He expressed condolences to the Galinas and Germana families on their losses.

Mr. Germana – Stated that you have to have an address to forward in a complaint.

Auditor Kish – Stated that we are entering the last quarter of the year. He wanted to commend the Administration on the efficiency in their spending. He is cautioning everyone that revenues are basically flat for the year. As always, expenditures are on the rise. And it's not like you see in the movies that when it comes to year end and you expend your budget, he is encouraging you NOT to expend your budget, so that we can have some type of carry over into 2007. It is going to be a very lean year as he mentioned to Council back in May, even prior to and after the passage of the income tax increase and restoration of tax credit, next year is a very critical year for the City financially. He just wanted to encourage everyone to monitor their budgets and he will be contacting all Directors in the coming weeks to do transfers that are necessary to bolster some of those line items that are or going to a deficient position and also to persuade you to assist other Directors and Department Heads with their budgets that are not quite up to snuff. So thank you again for your cooperation.

Councilwoman Galinas – Thanked Council for passage of Resolution 358-06 for the November Epilepsy Awareness Month. Her father suffered from epilepsy his whole life. And this being the beginning of October; she is telling everyone that this month is Breast Cancer Awareness Month.

Councilman Jech – Took the opportunity to commend the Mayor and his staff. He always tells people that the Mayor and his staff that he brought in, the leadership positions, he has brought in some excellent representatives for the City. He wanted to thank the Safety and Service Directors. He has been walking Ward 9 and he wanted to thank them for their cooperation and assistance all the way through.

Councilman Napoli – No comment.

Councilman Ramser – Thanked the Auditor and Treasurer for attending his Ward meeting the past week. They were very informative. He wanted to tell everyone that there is a deer problem in his Ward. He is getting calls on their presence. He would appreciate any help if there is any available.

Councilman Regas – He echoed Mr. Ramser's comments regarding the deer. There might be a point coming up soon when we will have to make initiatives to address the deer. He doesn't know who it is going to be, or who is going to bring it forward, but we are going to have to address it eventually. He also wanted to congratulate the Mayor on creating his Blue Ribbon Commission. He thinks it is a good idea and it will make big steps in moving the City forward.

Councilman Tuma – Congratulated Rosemary Gulick for her service. He expressed his condolences to Mary and Chuck on their losses, he knows it can be tough. He commended the Safety Director for coming ahead with Ord. No. 360-06. It is a progressive piece of legislation.

Councilman Brennan – He sincerely wished his condolences to the losses of the parents.

Councilman Celebrezze – He gave an announcement of a meeting at Schaaf with Councilman Brennan and some residents from both wards at 7 PM on Thursday.

Mr. Germana – Expressed his thanks for all the condolences, cards, flowers, for his father and on behalf of Mrs. Galinas for her mother. He will be missed. He stated that



it puts things in perspective when things like this happen. He welcomed the woman who made a comment. He stated that she may think that her taxes are high, but we are one of the lowest cost providers of service in the County of 50 cities. It doesn't help the total taxes, but if you take the municipal part of your taxes, we are one of the lowest in the county per capita. You are right. You should not have to live in those conditions and we will do our best to see that they are corrected. City Hall is closed next Monday. Committee meetings will be held on Tuesday. He will be out of town and if there is a special meeting, Mr. Brennan will handle it. The Treasurer, the Mayor, and he were downtown in the Cleveland City Hall Rotunda for the celebration of Italian/American Days and if you have not been at Cleveland City Hall, it is a grand, grand situation and the Mayor, in the spirit of regionalization, we were well received there and the Mayor was received very well.

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#### **REPORT ON ABSENT MEMBERS**

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to excuse Councilman Brian Day. Motion carried.

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#### **ADJOURNMENT**

Motion made by Councilman Brennan, seconded by Councilwoman Galinas to adjourn said Council Meeting at 7:48 PM. Motion carried.

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#### **CERTIFICATION**

I, Tom Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this true and correct copy of the Minutes of the Regular Council Meeting held on October 2, 2006.

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TOM MASTROIANNI  
CLERK OF COUNCIL

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CHARLES M. GERMANA  
PRESIDENT OF COUNCIL

Minutes were completed on 10/10/06 lly